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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

HARPAL S. CHEEMA,) No. C 04-3869-SI
Petitioner,)
v.)
MICHAEL CHERTOFF Secretary,)
Department of Homeland Security, et al.,)
Respondents.)

**STIPULATION TO VACATE COURT'S
ORDER GRANTING THE PETITION FOR
WRIT OF HABEAS CORPUS AND TO
DISMISS THE PETITION**
Hearing Date: January 26, 2007
Time: 9:00 a.m.

The petitioner, by and through his attorney of record, and respondents, by and through their attorneys of record, hereby stipulate, subject to the approval of the Court, to having this Court vacate its November 28, 2005 Order Granting the Petition for Writ of Habeas Corpus and dismiss the habeas petition, for the reasons stated in the respondents' Motion To Vacate Court's Order Granting The Petition For Writ of Habeas Corpus And To Dismiss The Petition. Moreover, the parties stipulate to vacating the January 26, 2007 hearing date.

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2 Date: October 12, 2006

Respectfully submitted,

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4 /s/
5 CHRISTOPHER FULLER
6 Office of Immigration Litigation
7 Department of Justice
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10 KEVIN V. RYAN
11 United States Attorney
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13
14 /s/
15 EDWARD A. OLSEN¹
16 Assistant United States Attorney
17 Attorneys for Respondents
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19 Date: October 12, 2006

20 /s/
21 ROBERT B. JOBE
22 Law Office of Robert B. Jobe
23 Attorney for Petitioner
24

25 **ORDER**

26 Pursuant to stipulation, IT IS SO ORDERED.
27

28 Date:



SUSAN ILLSTON
United States District Judge

¹I, Edward A. Olsen, attest that both Robert B. Jobe and I have signed this stipulation.
STIPULATION TO VACATE
C 04-3869